

## Exhibit 64

Plaintiffs' Corrected Averment of Jurisdictional Facts and  
Evidence and/or Statement of Facts as to Defendant Al Rajhi Bank  
Pursuant to Rule 56.1

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FAC No.: SDG-220840

MEMORANDUM FOR R. RICHARD NEWCOMB  
DIRECTOR  
OFFICE OF FOREIGN ASSETS CONTROL

THROUGH:

[REDACTED]  
Chief, Foreign Terrorist Division

FROM: Foreign Terrorist Officer

SUBJECT: Additional Designations Pursuant to E.O. 13224: Al-Haramain,  
Indonesia

(U) INTRODUCTION

(U) On September 23, 2001, President Bush declared a national emergency pursuant to the International Emergency Economic Powers Act ("IEEPA"), and issued Executive Order 13224 ("E.O. 13224" or "the E.O.") to address grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the September 11, 2001, terrorist attacks in New York, Pennsylvania, and at the Pentagon. The E.O. imposes economic sanctions on persons who commit, threaten to commit, or support terrorism.<sup>1</sup>

(U) President Bush identified, in the Annex to E.O. 13224, 13 individuals and 16 entities as subject to the economic sanctions.<sup>2</sup> As amended, the E.O. authorizes the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Homeland Security, and the Attorney General, to designate persons determined:

- 1) to be owned or controlled by, or to act for or on behalf of, those persons listed in the Annex to the E.O., or those persons determined to be subject to subsections 1(b), 1(c), or 1(d)(i) of the E.O.;

Derived by:  
Derived from:  
Date:  
Declassify on:

<sup>1</sup> The E.O. blocks all property and interests in property in the United States or within the possession or control of a U.S. person of any persons designated under its authority. In addition, it prohibits transactions or dealings by U.S. persons or within the United States in blocked property, including but not limited to the making or receiving of any contribution of funds, goods, or services to or for the benefit of designated persons.

<sup>2</sup> Twelve individuals and thirteen entities were originally named in the Annex on September 23, 2001. Executive Order 13268 of July 2, 2002 amended the Annex by adding one individual and one entity.

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- 2) to assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to E.O. 13224 or determined to be subject to the E.O.; or
- 3) to be otherwise associated with those persons listed in the Annex, or those persons determined to be subject to subsections 1(b), 1(c), or 1(d)(i) of the E.O.

(S) [REDACTED] Al-Haramayn<sup>3</sup> Foundation represents itself as an international humanitarian organization involved in fundraising, construction, relief, and educational projects. It orients its relief efforts exclusively towards Muslim populations in order to spread its conservative brand of Salafist ideology. The entire Al-Haramayn organization has long been suspected of providing various types of support to terrorist groups including al-Qa'ida, and its offices in Bosnia and Somalia were designated on March 11, 2002, pursuant to E.O. 13224, for providing support to al-Qa'ida. Al-Haramayn's office in Indonesia is similarly being recommended for designation for providing financial and material support to al-Qa'ida and its affiliate, Jemaah Islamiyah, both of which were designated pursuant to E.O. 13224.

(U) Evidence presented in this memorandum and related exhibits provides reason to believe that the below-listed entity meets the criteria for designation as set forth in E.O. 13224, since it provides financial and material support to a leader of al-Qa'ida (SDGT) and it provides financial and material support to an entity controlled by two leaders of Jemaah Islamiyah (SDGT), Aris Munandar (SDGT) and Agus Dwikarna (SDGT).

(U) IDENTIFIER INFORMATION

(U) AL-HARAMAIN, INDONESIA [Exhibit A, p. 147]

(S) [REDACTED] AKA: Al-Haramayn [Exhibit B, p. 7]

(S) [REDACTED] AKA: Al Haramayn [Exhibit B, p. 7]

(U) AKA: Al Haramain [Exhibit C]

(U) AKA: Al-Haramain Foundation [Exhibit A, p. 147]

(U) AKA: Yayasan Al Haramaini [Exhibit D]

(S) AKA: Al-Haramain Islamic Foundation [Exhibit E, p. 6]

(U) AKA: Yayasan Al Haramain [Exhibit C]

(S) [REDACTED] AKA: Yayasan al-Manahil-Indonesia [Exhibit F, p. 2; Exhibit G, para. 1]

(U) Locations:

(S) [REDACTED] Jalan Laut Sulawesi Blok DII/4

Kavling Angkatan Laut Duren Sawit

Jakarta Timur (East Jakarta) 13440 Indonesia

Tel. 021-86611265 and 021-86611266

Fax 021-8620174 [Exhibit G, para. 1]

(U) Lembaga Pelayanan Pesantren & Studi Islam

- Jl. Jati Padang II, No. 18-A

<sup>3</sup> The Indonesian office of Al-Haramayn uses an alternate spelling, Al-Haramain, on its website and for its email address.

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Jakarta Selatan (South Jakarta) 12540 Indonesia  
 Tel. 021-789-2870, Fax 021-780-0188 [Exhibit C; Exhibit D]

(TS) [REDACTED]  
 (U) Website: www.alharamain.or.id [Exhibit D]

#### BASES FOR DESIGNATION

##### (U) AL-HARAMAIN, INDONESIA

##### (U) Background on Al-Haramayn's International Activities and Branch Offices

(S/NF) The Al-Haramayn Foundation (AHF) is one of the principal Islamic NGOs active throughout the world. AHF has been infiltrated by Al-Qaeda and has been used by al Qaeda for cover and concealment of assets and material, according to military reporting. AHF "belongs to" the Usamah Bin Ladin-established "World Front of the Jihad Against Jews and Christians," which includes the Egyptian Gama Al-Islamiya, the Egyptian Islamic Jihad (EIJ), the Abu Sayyaf Group (ASG) and the Harakat Ul Ansar of Pakistan, according to military reporting. All these organizations are Specially Designated Global Terrorists pursuant to E.O. 13224. [Exhibit I; [REDACTED] Exhibit K]

(S) [REDACTED] Prior to the removal of the Taliban from power in Afghanistan, AHF had links to the UBL-financed Maktab al-Khidemat (MK), [REDACTED] MK is a Specially Designated Global Terrorist pursuant to E.O. 13224. [REDACTED]

(S) [REDACTED]

(TS) [REDACTED] In one instance later in 2003, a journalist suspected of meeting with Al-Qaeda and Taliban members in Afghanistan was also suspected of transferring funds on behalf of the Al-Qaeda-affiliated AHF, and forwarding videotapes from Al-Qaeda leaders to al-Jazeera TV for broadcast, [REDACTED]. In mid-April 2002, AHF was "involved with" a group of sixty Afghan persons "trained to attack Westerners," [REDACTED] [Exhibit Q; Exhibit R]

##### Background on Al-Haramain, Indonesia

(S) [REDACTED] Al-Haramain, Indonesia has offices in Jakarta and Makassar (Ujung Padang). [Exhibit B, p. 7; Exhibit H, para. 9]

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~~TOP SECRET~~ [REDACTED]

(S) [REDACTED] As of October 2003, the director of al-Haramain, Indonesia became the director of a new foundation called Yayasan al-Manahil-Indonesia, [REDACTED] The foundation was located at the same address as al-Haramain's latest office and used the same staff members as al-Haramain. [Exhibit G, para. 1]

[REDACTED]

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

<sup>4</sup> Abu Zubaydah was designated pursuant to E.O. 13224 on September 23, 2001.

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~~TOP SECRET~~ [REDACTED]

2. Links between Al-Haramain, Indonesia and KOMPAK

(S) [REDACTED] According to multiple sources, Al-Haramain, Indonesia provides financial support to the Indonesian NGO KOMPAK<sup>5</sup> which, as described below, has multiple links to Jemaah Islamiyah (SDGT). [REDACTED]

[REDACTED] Exhibit S, para. 2 and 3; Exhibit Z, para. 2; Exhibit AA, para.

3]

a. Links between KOMPAK and Jemaah Islamiyah (SDGT)

(S) [REDACTED] KOMPAK was founded by senior Jemaah Islamiyah (JI) leader Agus Dwikarna (SDGT) [REDACTED]

(S) [REDACTED]

Links between Al-Haramain Saudi Arabia and Al-Haramain Indonesia

(S) [REDACTED]

Links between Al-Haramain, Saudi Arabia and Jemaah Islamiyah (SDGT)

<sup>5</sup> KOMPAK is an acronym for the Komite Penanggulangan Krisis, otherwise known as the Committee to Overcome Crisis or the Crisis Relief Committee.

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CONCLUSION

(U) Based on the foregoing information, there is reason to believe that Al-Haramain, Indonesia is:

- assisting in, sponsoring, or providing financial, material or technological support for, or financial or other services to or in support of, al-Qa'ida (SDGT);
- assisting in, sponsoring, or providing financial, material or technological support for, or financial or other services to or in support of, Jemaah Islamiyah (SDGT);
- otherwise associated with al-Qa'ida (SDGT)
- otherwise associated with Jemaah Islamiyah (SDGT).

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